

February 23, 2010

County of Greene, Virginia

THE CONTINUED MEETING OF THE GREENE COUNTY BOARD OF SUPERVISORS WAS HELD ON TUESDAY, FEBRUARY 23, 2010 AT 5:30 P.M. IN THE COUNTY MEETING ROOM.

Present were: Steve Catalano, Chairman
Clarence Peyton, Vice Chairman
Jim Frydl, Member
Carl Schmitt, Member
Mike Skeens, Member
Ray Clarke, County Attorney
Barry Clark, County Administrator
Patti Vogt, Deputy Clerk
Tracy Morris, Finance Director

RE: EXECUTIVE SESSION

Upon motion by Clarence Peyton and unanimous vote, the Board entered into Executive Session to discuss legal and personnel matters pursuant to Section 2.2-3711 Subsection (a, 1-7) of the Code of Virginia.

Contract Matters:

- Water and Sewer

Land Acquisition:

- Water and Sewer

Legal:

- None

Personnel:

- Administration

Various Appointments:

- Economic Development Authority
- Equalization Board
- Planning Commission
- Agricultural and Forestal District Advisory Committee
- JABA
- Social Services Board

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jim Frydl	-	Yes
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

Upon motion by Clarence Peyton and unanimous vote, the Board returned to Open Session.

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jim Frydl	-	Yes
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

By unanimous vote, all members certified that only public business matters lawfully exempted from the Open Meeting requirement and only such matters as identified by the motion to enter into Executive Session were discussed.

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jim Frydl	-	Yes
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

RE: AGRICULTURAL AND FORESTAL DISTRICT COMMITTEE

Upon motion by Jim Frydl and affirmative vote, the Board appointed the following individuals to the Agricultural and Forestal District Advisory Committee:

Bob Burkholder
Mickey Cox
Thomas Eddins
James Henshaw
Cathryn Kloetzli
Clarence Peyton
Larry Snow
Michael Snow

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Abstained
	Jim Frydl	-	Yes
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

RE: VARIOUS APPOINTMENTS

Upon motion by Clarence Peyton and unanimous vote, the Board approved the following appointments:

Planning Commission - Frank Steele

Economic Development Authority	-	Marianne Shepard
		Steve Brucker
Jefferson Area Board for Aging	-	Patsy Morris
Equalization Board	-	Dana Grimm

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jim Frydl	-	Yes
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

RE: PUBLIC HEARING – REZONE – SHEETZ

Mr. Bart Svoboda, Zoning Administrator, said representatives of Sheetz have requested the public hearing be deferred.

Upon motion by Carl Schmitt and unanimous vote, the Board deferred this public hearing to Tuesday, March 9, 2010.

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jim Frydl	-	Yes
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

RE: PUBLIC HEARING – REZONE – WILLIAM L. GENTRY, TRUSTEE, SILAS A. REYNOLDS TRUST

Mr. Svoboda reviewed the request from William L. Gentry, Trustee, Silas A. Reynolds Trust, to rezone from B-1, Business to B-3, Business approximately 3.09 acres located on Seminole Trail and identified on County Tax Maps as 60E-(A)-6B. (RZ#09-002) The proffers exclude certain by right uses.

Mr. Svoboda noted permitted uses within the business (B-1, B-2 and B-3) districts recently underwent a major revision to eliminate the need for proffering out uses, as the districts have been designed to incorporate the appropriate uses.

The Planning Commission recommended approval of the rezoning request as a B-2 zoning designation. The request for B-3 zoning designation was not recommended as the request does not conform, specifically, to Article 1 of the Greene County Zoning Ordinance in trying to facilitate the creation of a convenient, attractive, and harmonious community.

Mr. Bill Gentry, petitioner, spoke regarding this request. The proposal is to proffer out all by-right uses except modular building sales, with the building limited to no more than 2, install screening along the lake and to have no more than ten statuaries behind the building. Mr. and Mrs. Roger Morris have relocated their business to this site. The Zoning Ordinance has been amended and current zoning does not allow their businesses at this site.

The Chairman opened the floor for public comment. Mr. Mark Simpson, resident of Deer Lake Estates, said, while he is pro business, he felt this rezone is inappropriate for this particular location. He expressed concern about the proposed rezone in regards to erosion and sediment runoff, aesthetics and safety, particularly crossing Route 29.

The public hearing was closed.

In response to a question by Mr. Frydl, Mr. Svoboda said the entrance is approximately 200 to 250 feet from Route 29. Mr. Frydl referenced Article 1 of the Zoning Ordinance and agreed B-2 zone uses are more compatible on this lot.

Mr. Schmitt and Mr. Skeens also agreed with B-2 zoning.

Mr. Peyton asked if B-2 zoning would suit the needs of the applicant. Mr. Svoboda said the proposed use is a combination of florist and modular building sales. B-2 zoning would not allow the building sales.

The Chairman reminded members that this is a land use decision, not a decision regarding a specific use. Mr. Frydl noted B-2 zoning would not allow the display of modular buildings but does allow the sale of modular buildings.

Upon motion by Carl Schmitt and unanimous vote, the Board approved rezoning RZ#09-002 with a B-2 zoning designation.

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jim Frydl	-	Yes
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

RE: REVENUE RECOVERY

Mr. Bob Townsend, Public Relations Officer for the Greene County Rescue Squad, was present to discuss revenue recovery.

The Chairman said the Board authorized a committee to research revenue recovery two years ago.

Mr. Townsend reviewed the process the committee followed in the research of revenue recovery which included looking at pros/cons and misconceptions. This would provide another source of income for the Squad. Revenue recovery funds would not replace funding but would be additional.

It would probably take a year to see any money come in. The application process for Medicare and Medicaid is lengthy. Insurance companies would be billed based on the type of care provided and mileage. Approximately \$100,000 of revenue per year could be received.

The Chairman addressed one major concern of citizens by noting everyone will receive care. No patient will be refused and insurance companies will be billed when appropriate.

There was discussion regarding the public information process. The Board of Supervisors is required to hold a public hearing on this matter. Prior to the public hearing, a public workshop will be held.

Mr. Townsend gave a brief overview of the process. Rescue squad personnel would use laptop computers to complete forms required by the State with a copy being forwarded to a billing company which would then collect from insurance companies. Money would then be

sent to the County to be used for the rescue squad. Orange, Madison, and Buckingham counties currently use this system. Albemarle Fire and Rescue also utilize revenue recovery.

The Chairman said the County would handle the business side. Rescue squad personnel would be trained to complete the necessary paperwork with appropriate coding.

After further discussion, it was the consensus of the Board to schedule a public workshop on revenue recovery for Tuesday, March 23, 2010 at 5:30 p.m. in the County Meeting Room.

RE: MATTERS FROM THE PUBLIC

There were no matters from the public.

RE: CONSENT AGENDA

Upon motion by Clarence Peyton and unanimous vote, the Board approved the following items on the consent agenda:

- a. Minutes of January 12 and January 26, 2010 meetings.
- b. Resolution designating 2010 as "The Year of the Rivanna" as a part of the 40th anniversary of Virginia's Scenic Rivers Program. (See Attachment "A")
- c. Resolution to accept and appropriate \$10,000 in Park Stream Restoration Grant funds for the Greene County Parks and Recreation Department. No local cash match required. (See Attachment "B")
- d. Resolution to accept and appropriate \$2,713 in grant funds from the Department of Fire Programs for Ruckersville Volunteer Fire Company. No local match required. (See Attachment "C")

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jim Frydl	-	Yes
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

Upon motion by Clarence Peyton and unanimous vote, the Board approved the following item on the consent agenda:

- a. Resolution to accept and appropriate \$9,426 in grant funds from the Office of Emergency Medical Services, Rescue Squad Assistance Fund, for Sheriff's Office. No local match required. (See Attachment "D")

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jim Frydl	-	Yes
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

COMMUNITY PARK

Mr. Svoboda spoke briefly on the request to advertise a request for proposals for a comfort station at the Community Park.

Upon motion by Carl Schmitt and unanimous vote, the Board authorized the advertisement of a Request for Proposal for a comfort station at the Community Park.

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jim Frydl	-	Yes
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

EMERGENCY OPERATIONS PLAN

The Chairman reviewed at list of corrections/changes/additions and items for clarification in regards to the Emergency Operations Plan.

The Board discussed the schedule for review of the Plan. The Chairman said the Plan should be reviewed after every incident. Annual review will be required after a "table top" exercise.

Mr. Peyton questioned who makes the decision to activate the reverse 911 system. The Chairman said primary responsibility for reverse 911 is in the dispatch center. Currently, there is no link to the County Emergency Manager. This needs to be reviewed

Upon motion by Carl Schmitt and unanimous vote, the Board adopted the resolution to approve the Emergency Operations Plan with the understanding that the list of corrections/changes/additions and items for clarification is to be completed within 90 days. (See Attachment "E")

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jim Frydl	-	Yes
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

RE: EMERGENCY DECLARATION

The Chairman said Board members verbally agreed to the adoption of a resolution declaring an emergency on February 4, 2010.

Upon motion by Mike Skeens and unanimous vote, the Board reaffirmed the approval of the resolution declaring an emergency. (See Attachment "F")

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jim Frydl	-	Yes
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

RE: OTHER MATTERS FROM THE BOARD

APPROPRIATION REQUESTS

Congressman Tom Perriello is committed to securing federal support for deserving appropriations projects in the 5th Congressional District. To date, the Congressman has secured 17 "earmarks" for localities.

Mr. Schmitt said Greene County has three projects that may meet the criteria. One is the waterline replacement project in Stanardsville. This request would cover the replacement of waterline in the three block core business area of Stanardsville. Another project is Phase 1 of the Greene County Park. The request would be for the construction of a restroom/concession building and public plaza. The last project would be a public water supply well. This request would be for the development of a well at the Park. Projects need to be prioritized.

After discussion, it was the consensus of the Board to prioritize the projects as follows:

1. Stanardsville Water Line Replacement
2. County Public Water Supply Well

The County Park project would stand on its own in a separate classification.

ENERGY AUDIT

Mr. Schmitt said the energy audit is complete. There are 19 specific conservation measures in the proposal such as more efficient lighting, water conservation measures, replace chiller at the high school, HVAC replacement, heating system improvements, etc. that mainly focus on improving energy efficiency and creating a more useable and comfortable work environment. Of the estimated total project costs of \$3.5 million, \$325,000 is for county buildings with the balance for the schools. The School has already qualified for \$2.5 million in 0% bonds as part of the stimulus package.

The next step includes the finalized scope, fund model, detailed energy audits, details of proposed projects, information on equipment, specific energy saving calculations for each measure and the proposal for implementation. Ameresco guarantees that annual loan payments will be less than the annual cost savings

Mr. Peyton questioned the replacement of the roof at the high school. Mr. Schmitt said the school has applied for grant funds for that project. If the grant is not approved, the project would be included in the proposal by Ameresco.

The Board heard further discussion. It was noted the County must complete enough projects to make the payback work.

The Chairman noted the Finance Director has received information on the bonds. He felt the projects should be identified and payback calculated prior to approval of bonds.

This matter will be an agenda item on March 9 or March 23.

COMPREHENSIVE PLAN

Mr. Svoboda said the Planning Commission will hold a public hearing on the Comprehensive Plan in March. The Board of Supervisors must hold a public hearing within 90 days after it is forwarded by the Planning Commission.

TJPDC

Mr. Schmitt said the Commission has conducted a prolonged self-evaluation and put together a revised strategic plan with a very clear vision of where they want to go. Areas they are going to work on to provide services to constituents include:

- improved communications
- provide grant writing assistance to counties
- develop regional training center
- improvement in environmental programs
- consider implementing joint procurement program
- provide traffic analysis and traffic demand modeling
- work with TJPED on economic development matters

RIVANNA RIVER BASIN COMMISSION

Mr. Frydl noted he and Mr. Schmitt are the representatives on the Commission. The Executive Director was authorized to seek grant funding from the EPA to do a pilot TMDL (total maximum daily load) study.

The Stream Watch Program of the Nature Conservancy has an update of a digital land cover map. The online tool should be available by May at the latest.

SHERIFF'S DEPARTMENT

Mr. Frydl questioned why the Sheriff's Report showed transport hours and miles decreasing while fuel costs have gone up compared to last year.

SCHOOL BUDGET HEARINGS

Mr. Peyton said he attended two hearings held by the School Board regarding the budget. State cuts, local composite index and increased benefits equal a deficit of \$1.6 million. Proposed reductions included: reduction in staff, 18.75 positions; five days furloughs for teachers/administration staff; and the elimination of summer school. However, the School Board has unanimously decided to delete furloughs and add summer school back in. It appears the Schools will request approximately \$750,000.

Mr. Peyton said it is the Board of Supervisors responsibility to request justification for increases based on actual expenditures for the previous year as opposed to budgeted amounts for the year. He felt the Board has reached a consensus that they don't want to raise taxes to support an increase in funding (state cuts) and priorities are education, fire/rescue and police. Sixty percent (60%) of the total county operating budget has been allocated to the schools in the past.

Mr. Peyton noted the following schedule for the budget process:

- March 10 – all day budget work session
- March 15 and 26 – additional workshops as needed
- April 18 – advertise budget
- April 27 – public hearing – set tax rates

- May 11 – adopt budget

LIBRARY/SOCIAL SERVICES

Mr. Skeens said he recently met with Library representatives to discuss the budget. He said he and Mrs. Jeri Allen are on the Social Services Board and recently toured the facility. Mr. Skeens said he was amazed at the operation of the Department.

DELEGATE BELL

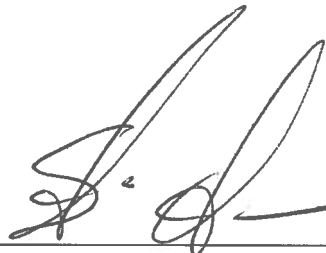
The Chairman noted he contacted Delegate Rob Bell regarding opposition to House Bill 613. He received a letter from Delegate Bell that stated he voted in favor of the bill which was ultimately defeated.

REGIONAL JAIL

The Chairman said he and Mr. Peyton will be visiting the Regional Jail this week to discuss State budget cuts.

RE: ADJOURN MEETING

As there was no further business, the meeting was adjourned.



Steve Catalano, Chairman
Greene County Board of Supervisors

**Resolution Designating 2010 as The Year of the Rivanna
As a part of the 40th Anniversary
Of Virginia's Scenic Rivers Program**

Whereas the Rivanna River was the first river in Virginia designated a State Scenic River; and

Whereas the Commonwealth of Virginia is celebrating the 40th anniversary of the Scenic River program; and

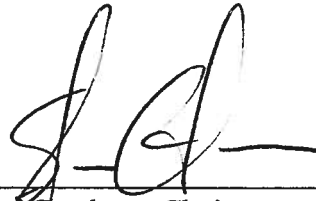
Whereas the Federal Government has designated the Rivanna as a "National Treasure," the only river so honored in Virginia; and

Whereas the General Assembly created the Rivanna River Basin Commission, a regional organization to assist in maintaining and improving the water quality of the Rivanna River; and

Whereas two thirds of Greene County is in the Rivanna River Watershed which represents a critical part of the headwaters of this river and is thus critical to the areas health, welfare and economy;

Therefore be it resolved that Greene County is joining other neighboring Rivanna jurisdictions in designating 2010 as the Year of the Rivanna and extends its gratitude and support to the many groups and organizations working together to organize the 40th Anniversary Celebration.

Adopted in Open Meeting this 23rd day of February, 2010.



Steve Catalano, Chairman
Greene County Board of Supervisors

**RESOLUTION TO ACCEPT AND APPROPRIATE
TEN THOUSAND DOLLARS FOR PARK STREAM RESTORATION
GRANT**

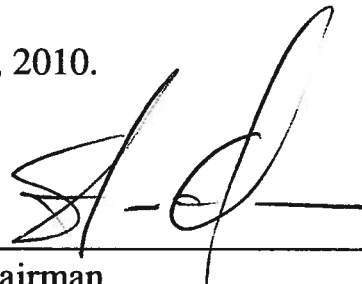
WHEREAS, the Parks & Recreation Department for the County of Greene has received stimulus funding from the State/Federal Government for expenses; and

WHEREAS, the funds in the amount of ten thousand dollars (\$10,000.00) need to be appropriated to the appropriate line item in the 2009-2010 budget of the County of Greene, Virginia.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors of the County of Greene, Virginia that ten thousand dollars (\$10,000.00) be appropriated to the 2009-2010 budget of the County of Greene.

BE IT FURTHER RESOLVED that the County Administrator of the County of Greene, Virginia is authorized to make the appropriate accounting adjustments in the budget to do all things necessary to give this resolution effect.

Adopted this 23rd day of February, 2010.



Chairman



Barry Clark, Clerk

RESOLUTION TO ACCEPT AND APPROPRIATE TWO THOUSAND SEVEN HUNDRED THIRTEEN DOLLARS FOR THE TRAINING MINI-GRANT

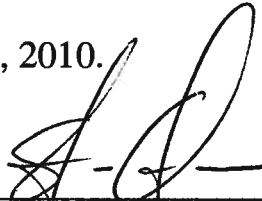
WHEREAS, the County of Greene has been awarded a grant from Department of Fire Programs for a Training Mini-Grant; and

WHEREAS, the funds in the amount of two thousand seven hundred thirteen dollars (\$2,713) will need to be appropriated to the appropriate line item in the 2009-2010 budget of the County of Greene, Virginia.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors of the County of Greene, Virginia that two thousand seven hundred thirteen dollars (\$2,713) be appropriated to the 2009-2010 budget of the County of Greene.

BE IT FURTHER RESOLVED that the County Administrator of the County of Greene, Virginia is authorized to make the appropriate accounting adjustments in the budget to do all things necessary to give this resolution effect.

Adopted this 23rd day of February, 2010.



Steve Catalano, Chairman



Barry Clark, Clerk

RESOLUTION TO ACCEPT AND APPROPRIATE NINE THOUSAND FOUR HUNDRED TWENTY SIX DOLLARS FOR THE RESCUS SQUAD ASSISTANCE FUND GRANT

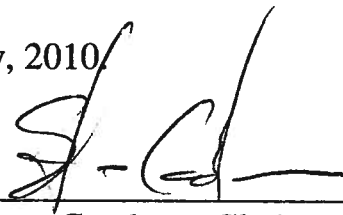
WHEREAS, the County of Greene has been awarded a grant from the Office of Emergency Medical Services for a Rescue Squad Assistance Fund Grant; and

WHEREAS, the funds in the amount of nine thousand four hundred twenty-six dollars (\$9,426) will need to be appropriated to the appropriate line item in the 2009-2010 budget of the County of Greene, Virginia.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors of the County of Greene, Virginia that nine thousand four hundred twenty-six dollars (\$9,426) be appropriated to the 2009-2010 budget of the County of Greene.

BE IT FURTHER RESOLVED that the County Administrator of the County of Greene, Virginia is authorized to make the appropriate accounting adjustments in the budget to do all things necessary to give this resolution effect.

Adopted this 23rd day of February, 2010.



Steve Catalano, Chairman



Barry Clark, Clerk

RESOLUTION

WHEREAS, the Board of Supervisors of the County of Greene, Virginia recognizes the need to prepare for, respond to, and recover from natural and man-made disasters; and

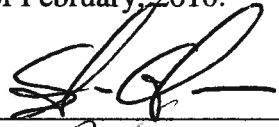
WHEREAS, the County of Greene has a responsibility to provide for the safety and well being of its citizens and visitors; and

WHEREAS, the County of Greene has established a Department of Emergency Management and appointed a Director and Coordinator of Emergency Management;

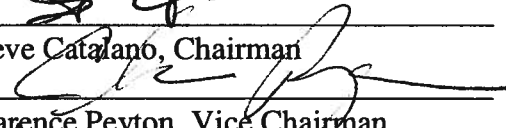
NOW THEREFORE BE IT HEREBY RESOLVED that the Board of Supervisors of the County of Greene, Virginia that this Emergency Operations Plan, as revised February 9, 2010 is officially adopted; and

IT IS FURTHER PROCLAIMED AND ORDERED that the Director of Emergency Management, or his/her designees, are tasked and authorized to maintain and revise, as necessary, this document over the next five year period or until such time it be ordered to come before this Board.

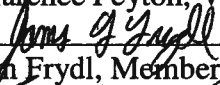
Adopted in Open Meeting this 23rd day of February, 2010.



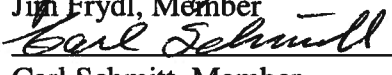
Steve Catalano, Chairman



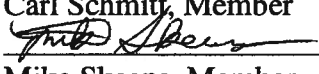
Clarence Peyton, Vice Chairman



Jim Frydl, Member

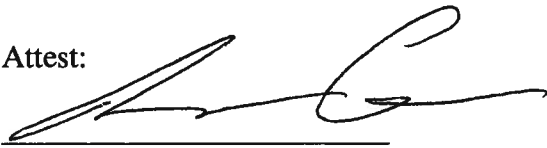


Carl Schmitt, Member



Mike Skeens, Member

Attest:



Barry J. Clark, Clerk

**GREENE RESOLUTION FOR THE
DECLARATION OF A LOCAL EMERGENCY**

WHEREAS, the Board of Supervisors of the County of Greene, Virginia, does hereby find as follows:

1. That due to the occurrence of snow , the County of Greene is facing a condition of extreme peril to the lives, safety and property of the residents of Greene County;
2. That as a result of this extreme peril, the proclamation of the existence of an emergency is necessary to permit the full powers of government to deal effectively with this condition of peril.

NOW, THEREFORE, BE IT HEREBY PROCLAIMED by the Board of Supervisors of the County of Greene, Virginia, that a local emergency now exists throughout the County of Greene; and

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of this emergency the powers, functions, and duties of the Director of Emergency Management and the Emergency Management organization and functions of the County of Greene shall be those prescribed by the laws of the Commonwealth of Virginia and the ordinances, resolutions, and approved plans of the County of Greene in order to mitigate the effects of said emergency.

In order to carry out the effect of this resolution, a sum of money, not to exceed \$ 10,000.00, is hereby appropriated from the county's unappropriated fund balance (from the Board's Special Account fund) to cover the reasonable operational costs of Emergency Management pending further report to this Board and such additional appropriations as shall be deemed necessary to cover the expected scope of this emergency.